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Security Council

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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 17 December 2007 from the Permanent Mission of Kenya to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of Kenya to the United Nations presents its compliments to the Committee, and with reference to the letter of the Chairman dated 26 October 2007, has the honour to transmit herewith the updated report of Kenya on implementation of Security Council Resolution 1540 (2004) (see annex).

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Annex to the note verbale dated 17 December 2007 from the Permanent Mission of Kenya to the United Nations addressed to the Chairman of the Committee

National report to the Security Council Committee established pursuant to Security Council Resolution 1540 (2004)

Kenya does not own or possess any nuclear, chemical or biological weapons, nor does it have, and has never had, any nuclear, chemical or biological weapons production facility anywhere under its territory, nor transferred either directly or indirectly, any equipment for the production of such weapons. The country does not provide any assistance to any non-State actor to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons or their means of delivery.

Kenya has always cooperated with other members of the international community in the fight against illicit acquisition of weapons of mass destruction and is resolved to enhance that cooperation to prevent illicit traffic in these and related weapons. Kenya is a State party to the following treaties and agreements:

(a) Nuclear

- The International Convention for the Suppression of Acts of Nuclear Terrorism
- Nuclear Non-proliferation Treaty
- Comprehensive Nuclear Test Ban Treaty
- Partial Test Ban Treaty
- Convention on the Physical Protection of Nuclear Material

(b) Chemical and biological

- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction
- Convention on the Prohibition of the Development, Production, Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction
- Geneva Protocol

Kenya is also a signatory to the International Code of Conduct against Ballistic Missiles, which are used as delivery systems for weapons of mass destruction.

In addition, Kenya is a member of the following international organizations:

- Conference on Disarmament
- International Atomic Energy Agency
- Organization for the Prohibition of Chemical Weapons
- Comprehensive Test Ban Treaty Organization Preparatory Commission

National efforts

Kenya has established an Inter-Ministerial Council for the full implementation of the Chemical Weapons Convention. The country is in the process of establishing the same for the Biological and Toxin Weapons Convention.

Kenya has produced draft legislation on the Chemical Weapons Convention in consultation with the Organization for the Prohibition of Chemical Weapons. The Act will provide for monitoring of the safe production manufacture, transportation, use and disposal of all chemicals in the country which were not already covered by existing controls.

Radiation Protection Board

The Radiation Protection Board (the Board) is a statutory body established under the Radiation Protection Act, which was passed by Parliament on 29 December 1982. The function of the Board is to advise the Government, through the Minister for Health, on all matters relating to radiation protection and radioactive waste disposal.

Parts III and IV of the Act empower the Board to license radiation workers, facilities and dealers in radiation devices and/or radioactive materials. The Board also issues radioactivity analysis certificates against imports and exports of consumer goods.

The Board has designed infrastructure for the physical protection of nuclear material, which includes closed circuit television cameras, motion sensors, electric fencing and burglar proofing. The Board is in the process of establishing a central radioactive waste processing facility. A committee for radioactive waste management, nuclear security and radiological emergency has also been formed under the Board.

In conjunction with the International Atomic Energy Agency (IAEA), the Board has ensured that all its officers are trained in nuclear security. The Board has also developed education and training programmes for police and customs officers in radiation detection. It is working with IAEA to equip laboratories and conduct more training.

Government Chemist Department

The Government Chemist Department serves as the National Authority for the Organization for the Prohibition of Chemical Weapons. It coordinates all Chemical Weapons Convention-related matters touching Kenya as a State party within its own territory, including the ensuring of compliance with all implementation requirements of the Convention.

The Department works with the Organization for the Prohibition of Chemical Weapons inspectors to facilitate full achievement of the objectives of Organization for the Prohibition of Chemical Weapons inspections carried out in Kenyan public and private facilities involved in activities controlled by the Convention.

With the assistance of the Organization for the Prohibition of Chemical Weapons, the Department has trained most of its officers in chemical weapons security. The Department also actively participates in regional conferences on preparedness in the event of attacks using chemical weapons.

Kenya Revenue Authority: Customs and Excise Department

Officers from the Customs and Excise Department of the Kenya Revenue Authority are trained in identification of chemical weapons agents. Officers at the borders also possess the index of prohibited chemicals on the schedule of the Chemical Weapons Convention, which stems the entry of harmful chemicals into the country. The Department has also established a chemical reference laboratory where suspicious chemical samples are tested.

Border control

Kenya has established joint frontier security and intelligence committees with neighbouring States. This collaboration has continued to prove useful in monitoring illegal activates at the borders relating to illicit weapons.

Assistance programmes

The country may benefit from receiving technical assistance in the following areas:

- Joint training in nuclear, chemical and biological weapons technology
- Provision of necessary technical knowledge to customs and police officers to enable them to identify weapons of mass destruction
- Availability of technical devices to police officers and customs staff to assist such identification